

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 18 June 2003

Division: Growth Management

Bulk Item: Yes X No

Department: Marine Resources

AGENDA ITEM WORDING:

Approval to advertise an Ordinance and Amending Chapter 15.5, Monroe County Code to provide for a system and procedure for Wastewater Assessment.

ITEM BACKGROUND:

At various meetings of the Commission, including the latest in January, the Board has sought an ordinance that would allow property owners to finance their wastewater connection fees. The attached ordinance, which will amend Chapter 15.5, has been provided by Neighbors, Giblin, and Nickerson, P.A. with the intent of giving the County the means to establish an assessment which would be attached to a property owners tax bill if they chose to finance their wastewater utility connection fees. The purpose of this ordinance is to supplement such mechanisms as the Florida Keys Aqueduct Authority (FKAA) has in place for other utilities that the County may work with now or in the future (notably, Key West Resort Utility). An assessment on a property owners tax bill for connection fees would occur ONLY at the request of the property owner.

The term of the assessment would be determined by Resolution of the Board. Staff has been discussing financing for a term of 20 years to be consistent with financing available through the FKAA.

PREVIOUS RELEVANT BOCC ACTION:

January 2003 – action deferred, pending the development of this Ordinance

CONTRACT/AGREEMENT CHANGES:

NA

STAFF RECOMMENDATIONS;

Approval

TOTAL COST: NA

BUDGETED: Yes No

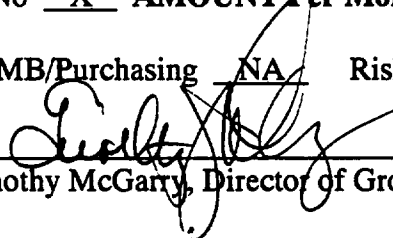
COST TO COUNTY: NA

SOURCE OF FUNDS:

REVENUE PRODUCING: Yes No X AMOUNT Per Month Year

APPROVED BY: County Atty X OMB/Purchasing NA Risk Management NA

DIVISION DIRECTOR APPROVAL:


Timothy McGarry, Director of Growth Management

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM NO.: 178

NABORS, GIBLIN & NICKERSON, P.A.
ATTORNEYS AT LAW

SUITE 200
1500 MAHAN DRIVE
TALLAHASSEE, FLORIDA 32308

• TELEPHONE (850) 224-4070
TELECOPY (850) 224-4073

THE POINTE, SUITE 1060
2502 ROCKY POINT DRIVE
TAMPA, FLORIDA 33607
(813) 281-2222
TELECOPY (813) 281-0129

CNL CENTER, SUITE 510
150 SOUTH ORANGE AVENUE
ORLANDO, FLORIDA 32801
(407) 426-7595
TELECOPY (407) 426-8022

To: George Ganett

May 27, 2003

Via Overnight Delivery

Robert N. Wolfe
Chief Assistant County Attorney
PO Box 1026
Key West, Florida 33041-1026

RECEIVED MAY 28 2003

CAY

Re: Wastewater Assessment Ordinance Draft #2

Dear Mr. Wolfe:

Enclosed for your review and comment is the second draft of the County's proposed Wastewater Assessment Ordinance. The attached document is blacklined for ease of reference. In sum, the following changes have been incorporated into the ordinance since the first draft provided to you:

1. The burden has been placed on the Utility Provider to certify the information required for the adoption of the Initial Assessment Resolution and each Annual Rate Resolution. This obligation appears in the definition of "Initial Wastewater Assessment Notice" and "Supplemental Wastewater Assessment Notice" and the changes in Section 2.02 and Section 2.08.
2. The Utility Provider is required to identify in the Supplemental Wastewater Assessment Notice any deletions of assessable parcels included on a prior Assessment Roll as a consequence of prepayment of the unpaid Assessable Costs (if prepayment is allowed in the implementing assessment resolution). See Section 2.08(B)(2) of the Ordinance.
3. The Utility Provider is required to identify in the Supplemental Wastewater Assessment Notice each new connection that elects the privilege of paying the Assessable Costs in installments in the form of an Annual Wastewater Assessment. See the definition of "Supplemental Annual Wastewater Assessment" and the requirement in Section 2.08 that the Supplemental Wastewater Assessment Notice identify each Supplemental Annual Wastewater Assessment and provide the information necessary for

Robert N. Wolfe
May 27, 2003
Page 2

its inclusion on the next year Assessment Roll.

4. Section 2.03 requires, as a condition of the election of an Owner of the privilege of paying the Assessable Costs in installments, execution by the Owner of a Consent and Acknowledgment Agreement and the payment to the Utility Provider of the Initial Wastewater Assessment Installment. The Utility Provider is required to include acknowledgment of the receipt of the Initial Wastewater Assessment in the Initial Wastewater Assessment Notice required in Section 2.02 and, for each Supplemental Annual Wastewater Assessment, in the Supplemental Wastewater Assessment Notice required in Section 2.08 of the Ordinance.

5. The remainder of the changes indicated were to conform the above substantive changes and to clarify language and terms for consistency.

I understand you have discussed these proposed changes with Bob Nabors. Accordingly, if you have any questions regarding the proposed ordinance, please contact either Bob Nabors or myself. Additionally, please provide me with any comments or modifications at your convenience.

Very truly yours,



Heather J. Encinosa

HJE:

cc: Robert L. Nabors

**DRAFT NO. 2
MAY 19, 2003**

MONROE COUNTY, FLORIDA

WASTEWATER ASSESSMENT ORDINANCE

ADOPTED _____, 2003

TABLE OF CONTENTS

PAGE

ARTICLE I ~~INTRODUCTION I~~

INTRODUCTION

SECTION 1.01.	DEFINITIONS	2
SECTION 1.02.	INTERPRETATION	7
SECTION 1.03.	GENERAL FINDINGS	8
SECTION 1.04.	LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT	9

ARTICLE II ~~ANNUAL II~~

ANNUAL WASTEWATER ASSESSMENTS

SECTION 2.01.	GENERAL AUTHORITY	10
SECTION 2.02.	INITIAL PROCEEDINGS	10
SECTION 2.03.	<u>CONDITIONS ON ELECTION TO PAY THE</u> <u>ASSESSABLE COSTS IN INSTALLMENTS</u>	12
SECTION 2.04.	INITIAL ASSESSMENT ROLL	12
SECTION 2.04 2.05.	NOTICE BY PUBLICATION	13
SECTION 2.05.	NOTICE BY MAIL	12
SECTION 2.06.	ADOPTION OF FINAL ASSESSMENT RESOLUTION	13
SECTION 2.07.	EFFECT OF FINAL ASSESSMENT RESOLUTION	14
SECTION 2.08.	ADOPTION OF ANNUAL RATE RESOLUTION	15
SECTION 2.09.	LIEN OF <u>ANNUAL</u> WASTEWATER ASSESSMENTS	18
SECTION 2.10.	REVISIONS TO <u>ANNUAL</u> WASTEWATER ASSESSMENTS. .	19
SECTION 2.11.	PROCEDURAL IRREGULARITIES	20
SECTION 2.12.	CORRECTION OF ERRORS AND OMISSIONS	20

ARTICLE III

COLLECTION AND USE OF ANNUAL WASTEWATER ASSESSMENTS

SECTION 3.01.	METHOD OF COLLECTION	22
SECTION 3.02.	ALTERNATIVE METHOD OF COLLECTION	23
SECTION 3.03.	GOVERNMENT PROPERTY.	26

ARTICLE ~~IV~~ GENERAL IV

GENERAL PROVISIONS

SECTION 4.01.	APPLICABILITY.	32	<u>27</u>
SECTION 4.02.	ALTERNATIVE METHOD	32	<u>28</u>
SECTION 4.03.	SEVERABILITY	33	<u>28</u>
SECTION 4.04.	EFFECTIVE DATE.	33	<u>29</u>

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA; RELATING TO THE PROVISION OF WASTEWATER SERVICES AND FACILITIES IN MONROE COUNTY, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF WASTEWATER ASSESSMENTS AGAINST PROPERTY; PROVIDING CERTAIN DEFINITIONS INCLUDING A DEFINITION FOR THE TERM "WASTEWATER ASSESSMENT"; ESTABLISHING A PROCEDURE FOR IMPOSING WASTEWATER ASSESSMENTS; PROVIDING THAT WASTEWATER ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR A WASTEWATER ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; PROVIDING A PROCEDURE FOR COLLECTION OF WASTEWATER ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE
COUNTY, FLORIDA:

ARTICLE I

INTRODUCTION

SECTION 1.01. DEFINITIONS. As used in this Ordinance, the following words and terms shall have the following meanings, unless the context clearly otherwise requires:

"Annual Rate Resolution" means the resolution described in Section ~~2.07~~ 2.08 of this Ordinance, establishing the rate at which a an Annual Wastewater Assessment for a specific Fiscal Year will be computed. The Final Assessment Resolution shall constitute the Annual Rate Resolution for the initial Fiscal Year in which a an Annual Wastewater Assessment is imposed or reimposed.

"Annual Wastewater Assessment" means a special assessment lawfully imposed by the Board against Assessed Property to permit payment of the Assessable Costs over a period of years.

"Assessable Costs" ~~"Assessable Cost"~~ means the amount computed by adding (A) the amount of the Capacity Fee, (B) the amount of the Physical Connection Fee, if any, (C) the amount of the Septic Tank Abandonment Fee, if any, and (D) all costs associated with the structure, implementation, collection, and enforcement of the Annual Wastewater Assessments, including any service charges of the County, Tax Collector, or Property Appraiser and amounts necessary to off-set discounts received for early payment of Annual Wastewater Assessments pursuant to the Uniform Assessment Collection Act of

~~for early payments collected pursuant to Section 3.02 herein an amount for contingencies and attributable to each parcel upon Connection:~~ and any other costs or expenses related to the collection of the Assessment Costs.

"Assessed Property" means all parcels of land included on the Assessment Roll that receive a special benefit from the delivery of the ~~Wastewater~~ wastewater services and facilities identified in the Initial Assessment Resolution or ~~a subsequent Preliminary~~ the Annual Rate Resolution.

"Assessment Interest Amount" means the annual interest rate charged against the unpaid Assessable ~~Cost~~ Costs by a Utility Provider pursuant to a duly enacted resolution.

"Assessment Roll" means the special assessment roll relating to a Annual Wastewater Assessment approved by a Final Assessment Resolution pursuant to Section ~~2.05~~ 2.06 hereof or an Annual Rate Resolution pursuant to Section ~~2.07~~ 2.08 hereof.

"Board" means the Board of County Commissioners of Monroe County, Florida.

"Building" means any structure, whether temporary or permanent, built for support, shelter or enclosure of persons, chattel, or property of any kind, including mobile homes. This term shall include the use of land in which lots or spaces are offered for use, rent or lease for the placement of mobile homes, travel trailers, or the like for residential purposes.

"Capacity Fee" means the fee established by a Utility Provider in the Utility Rate Resolution to fund the capital cost of the wastewater capacity attributable to a ~~service connection~~ Connection.

"Clerk" means the Clerk of the Circuit Court for Monroe County, Florida, as ex-officio Clerk of the Board and such other person as may be duly authorized to act on his or her behalf.

"Connection" means the physical interconnection of a Building's sanitary sewer system to a central sewage system provided by a Utility Provider.

"Consent and Acknowledgment Agreement" means the agreement, required as provided in Section 2.02 ~~herein, between the County and the Owner which shall be of this Ordinance,~~ as a condition precedent to the Owner receiving the privilege of ~~being able to pay~~ paying the Assessable ~~Cost over time as a~~ Costs in installments as an Annual Wastewater Assessment rather than as a lump sum ~~upon~~ at the time of Connection. The Consent and Acknowledgment Agreement shall provide for the consent of the Owner to the imposition of an ~~annual~~ Annual Wastewater Assessment against the Owner's property, acknowledge the total Assessable ~~Cost~~ Costs, acknowledge the amount and use of the Annual Wastewater Assessment, confirm the benefit accruing to the Owner's Property from the Assessable Costs and the imposition of the Annual Wastewater Assessment, confirm the Assessment Interest Amount, confirm the ~~term of years for collection of the Wastewater Assessment Term for the installment payment of the Annual~~ Wastewater Assessment Term for the installment payment of the Annual Wastewater Assessment, acknowledge the ~~purpose of the Wastewater Assessment and the total assessment revenue,~~ acknowledge the maximum annual maximum Annual Wastewater Assessment and that failure to pay the Annual Wastewater Assessment will cause a tax certificate to be issued against the Owner's property which will result in a loss of title under

the Uniform Assessment Collection Act, and waive the provision of first class mailed notice provided for under the Uniform Assessment Collection Act.

"County" means Monroe County, Florida.

"County Administrator" means the chief administrative officer of the County, designated by the Board to be responsible for coordinating the Annual Wastewater Assessments, or such person's designee.

"Final Assessment Resolution" means the resolution described in Section ~~2.05~~ 2.06 hereof which shall confirm, modify, or repeal the Initial Assessment Resolution and which shall be the final proceeding for the initial imposition of Annual Wastewater Assessments.

"Fiscal Year" means that period commencing October 1st of each year and continuing through the next succeeding September 30th, or such other period as may be prescribed by law as the fiscal year for the County.

"Government Property" means property owned by the United States of America or any agency thereof, a sovereign state or nation, the State of Florida or any agency thereof, a county, a special district or a municipal corporation.

"Initial Assessment Resolution" means the resolution described in Section 2.02 hereof which shall be the initial proceeding for the identification of the Assessable ~~Cost~~ Costs for which an assessment is to be made and for the imposition of ~~a~~ an Annual Wastewater Assessment.

"Initial Wastewater Assessment Installment" means the initial installment in the Wastewater Assessment Term required to be paid at the time of the execution of a Consent and Acknowledgment Agreement as a condition for an Owner to exercise the privilege to pay the Assessable Costs in installments as provided in Section 2.03 of this Ordinance.

"Initial Wastewater Assessment Notice" means the initial certification provided by a Utility Provider required under Section 2.02 of this Ordinance for the preparation of the Initial Assessment Resolution.

"Ordinance" means this Wastewater Assessment Ordinance, as amended from time-to-time.

"Owner" means the Person reflected as the owner of Assessed Property on the Tax Roll.

"Person" means any individual, partnership, firm, organization, corporation, association, or any other legal entity, whether singular or plural, masculine or feminine, as the context may require.

"Physical Connection Fee" means the amount necessary to pay for the pipe, interconnecting facilities and labor necessary to interconnect a Building's sanitary sewer system to a central sewage system provided by a Utility Provider. The Physical Connection Fee shall not include any amounts attributable to the Capacity Fee or the Septic Tank Abandonment Fee.

~~"Preliminary Rate Resolution" means the resolution described in Section 2.07 hereof initiating the annual process for updating the Assessment Roll and directing the reimposition of Wastewater Assessments pursuant to an Annual Rate Resolution.~~

"Property Appraiser" means the Monroe County Property Appraiser.

"Septic Tank Abandonment Fee" means the amount necessary for the disconnecting, crushing, filling and abandonment of a Building's on-site septic tank system upon Connection of that Building to a Utility Provider's central sewage system.

"Supplemental Annual Wastewater Assessment" means a new Annual Wastewater Assessment not included or the Initial Assessment Roll certified by the Utility Provider or in a Supplemental Wastewater Assessment Notice previously certified by the Utility Provider pursuant to Section 2.08 of this Ordinance.

"Supplemental Wastewater Assessment Notice" means the certification required under Section 2.08 of this Ordinance for the preparation of an Annual Rate Resolution provided by the Utility Provider for Fiscal Years subsequent to the Fiscal Year in which the Initial Assessment Resolution is prepared.

"Tax Collector" means the Monroe County Tax Collector.

"Tax Roll" means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

"Uniform Assessment Collection Act" means sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem

assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

"Utility Rate Resolution" means the schedule of rates, fees, and charges duly approved by the Board or by a Utility Provider.

"Utility Provider" means all publicly owned wastewater utilities operating in the unincorporated area of the County and all privately owned wastewater utilities operating within the unincorporated area of the County where the County has purchased utility capacity from that utility, including, but not limited to, the Florida Keys Aqueduct Authority, the Key Largo Wastewater Treatment District and the KW Resort Utility operating within South Stock Island.

~~**"Wastewater Assessment"** means a special assessment lawfully imposed by the Board against Assessed Property to permit payment of the Assessable Cost over a period of years.~~ **Term** means the number of installments, excluding the Initial Assessment Installment, that an Annual Wastewater Assessment is to be imposed as documented in the Initial Wastewater Assessment Notice or a Supplemental Wastewater Assessment Notice.

SECTION 1.02. INTERPRETATION. Unless the context indicates otherwise, words importing the singular number include the plural number, and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Ordinance; and the term "hereafter" means after, and the term "heretofore" means before, the effective

date of this Ordinance. Words of any gender include the correlative words of the other genders, unless the sense indicates otherwise.

SECTION 1.03. GENERAL FINDINGS. It is hereby ascertained, determined, and declared that:

(A) Pursuant to Article VIII, section 1, Florida Constitution, and sections 125.01 and 125.66, Florida Statutes, the Board has all powers of local self-government to perform county functions and to render county services in a manner not inconsistent with law, and such power may be exercised by the enactment of County ordinances.

(B) A reduction in the amount of costs due at the time of Connection from the Owners of properties required to connect to a central sewage system ~~in exchange for a~~ by the availability of an Annual Wastewater Assessment option that permits Assessable Costs to be paid over a period of years provides a special benefit to property and encourages properties to connect to a central sewage system on a timely basis.

(C) The Annual Wastewater Assessments Assessment authorized by this Ordinance ~~provide~~ provides an equitable method of funding the Assessable Costs.

(D) The purpose of this Ordinance is to (1) provide procedures and standards for the imposition of ~~County~~ an Annual Wastewater Assessments Assessment by the County under the general home rule powers of a county to impose special assessments; (2) identify the Assessable Costs to be collected in installments by the imposition of the Annual Wastewater Assessments; (3) authorize a procedure for the funding of ~~Wastewater wastewater~~ facilities providing special benefits to property within the County; and ~~(3)~~ (4)

legislatively determine the special benefit provided to Assessed Property from the provision of wastewater facilities and services.

(E) The ~~annual~~ Annual Wastewater Assessments Assessment, to be imposed using the procedures provided in this Ordinance, shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

(F) The Annual Wastewater Assessments Assessment to be imposed using the procedures provided in this Ordinance are imposed by the Board, not the Clerk, Property Appraiser or Tax Collector. The duties of the Clerk, Property Appraiser and Tax Collector under the provisions of this Ordinance and the Uniform Assessment Collection Act are ministerial.

SECTION 1.04. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT.

It is hereby ascertained and declared that the ~~Wastewater~~ wastewater services and facilities comprising the Assessable Costs provide a special benefit to property because ~~Wastewater~~ wastewater services and facilities possess a logical relationship to the use and enjoyment of improved property by: (1) facilitating the development of property and increasing the use and enjoyment thereof; (2) positively affecting the marketability and market value of the property by the presence of a central sewage treatment service; (3) properly and safely disposing of sewage generated on improved property; and (4) enhancing improved property through the environmentally responsible use and enjoyment of the property.

ARTICLE II

ANNUAL WASTEWATER ASSESSMENTS

SECTION 2.01. GENERAL AUTHORITY.

(A) The Board is hereby authorized to impose an ~~annual~~ Annual Wastewater Assessment to fund all or any portion of the Assessable ~~Cost~~ Costs upon benefitted property at a rate of assessment based on the special benefit accruing to such property from a Utility Provider's provision of ~~Wastewater~~ wastewater services and facilities. All Annual Wastewater Assessments shall be imposed in conformity with the procedures set forth in this Article II.

(B) Annual Wastewater Assessments shall be imposed for a term of years in equal annual amounts sufficient to pay the Assessable ~~Cost~~ Costs and the Assessment Interest Amount.

(C) Nothing contained in this Ordinance shall be construed to require the imposition of an Annual Wastewater ~~Assessments~~ Assessment against Government Property.

SECTION 2.02. INITIAL PROCEEDINGS.

(A) At the time of Connection, ~~a property Owner shall elect whether an Owner shall pay directly to the Utility Provider the Capacity Fee, the Physical Connection Fee, and the Septic Tank Abandonment Fee required by the Utility Provider under its utility service rules and regulations as a condition of Connection or may elect to pay all Assessable Costs at Connection or to have all Assessable Costs~~ and an Assessable Interest Amount

in installments in the form of an Annual Wastewater Assessment assessed against such property ~~as a Wastewater Assessment~~ over a set period of years. In the event a property Owner elects ~~payment as a~~ the privilege to pay an Annual Wastewater Assessment in installments, such Owner will sign a binding Consent and Acknowledgment Agreement with the County prior to Connection and shall pay the Initial Wastewater Assessment Installment as required in Section 2.03 of this Ordinance.

(B) As a condition pursuant to the initial imposition of an Annual Wastewater Assessment, the:

~~(B) Annually, by [INSERT DATE], each Utility Provider shall provide a list~~ certify to the County ~~of all properties whose Owners have elected the,~~ prior to June 1, an Initial Wastewater Assessment option by executing a Consent and Acknowledgment Agreement, including Notice containing the following information ~~for preparation of the Assessment Roll:~~

~~(1)~~ (1) A list of the Owners who have elected the privilege of paying the Annual Wastewater Assessment in installments and a copy of the Consent and Acknowledgment Agreement executed by such Owner;

(2) Summary description of each parcel of property (conforming to the description contained on the ~~tax-roll~~) Tax Roll) subject to the Annual Wastewater Assessment;

~~(2)~~ (3) The name of the Owner of each parcel as shown on the tax-roll; Tax Roll;

~~(3)~~(4) The Assessable ~~Cost~~ Costs attributable to each parcel;

(5) The Annual Wastewater Assessment amount;

~~(6)~~(4) The term of years for collection the installment payment of the Annual Wastewater Assessment;

and

~~(5)~~(7) The applicable Assessment Interest Amount; and

(8) Acknowledgment of receipt of the Initial Wastewater Assessment Installment for each parcel of property.;

(C) Thereafter, the initial proceeding for the imposition of a an Annual Wastewater Assessment shall be the adoption of an Initial Assessment Resolution by the Board, (1) describing the properties electing a to pay the Assessable Costs in installments by the imposition of an Annual Wastewater Assessment, (2) determining the Assessable Cost Costs to be assessed against each property, (3) establishing the ~~amount and term of the annual Wastewater Assessment~~, (4) ~~establishing an estimated assessment rate for the upcoming Fiscal Year~~, Annual Wastewater Assessment amount for the ensuing Fiscal Year, (4) confirming the Wastewater Assessment Term; and (5) directing the County Administrator to (a) prepare the initial Assessment Roll, as required by Section ~~2-03~~ 2.04 hereof, and (b) publish the notice required by Section ~~2-04~~ hereof: 2.06 hereof.

~~SECTION 2-03~~ SECTION 2.03. CONDITIONS ON ELECTION TO PAY THE ASSESSABLE COSTS IN INSTALLMENTS. As a condition pursuant to the Owner

receiving the privilege of paying the Assessable Costs in installments the County and the Owner shall enter into a Consent and Acknowledgment Agreement and the Owner shall pay to the Utility Provider the Initial Wastewater Assessment Installment.

SECTION 2.04. INITIAL ASSESSMENT ROLL.

(A) The County Administrator shall prepare, or direct the preparation of, the initial Assessment Roll, which shall contain the following:

- (1) A summary description of all Assessed Property conforming to the description contained on the Tax Roll.
- (2) The name of the Owner of the Assessed Property.
- (3) The amount of the Annual Wastewater Assessment to be imposed against each such parcel of Assessed Property.

(B) The initial Assessment Roll shall be retained by the County Administrator and shall be open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Annual Wastewater Assessment for each parcel of property can be determined by use of a computer terminal available to the public.

SECTION 2.04 2.05. NOTICE BY PUBLICATION. Upon completion of the initial Assessment Roll, the County Administrator shall publish, or direct the publication of, once in a newspaper of general circulation within the County a notice stating that at a meeting of the Board on a certain day and hour, not earlier than 20 calendar days from such publication, which meeting shall be a regular, adjourned, or special meeting, the